

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6493

BILL NUMBER: HB 1251

DATE PREPARED: Dec 20, 2000

BILL AMENDED:

SUBJECT: Electoral College.

FISCAL ANALYST: Diane Powers

PHONE NUMBER: 232-9853

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State

Summary of Legislation: This bill provides that Indiana electors for President and Vice President of the United States are chosen so that the candidate for President receiving the greatest number of votes in an Indiana congressional district receives the vote of one Indiana presidential elector. It provides that the candidate for President receiving the greatest number of votes in Indiana receives the vote of two at-large Indiana presidential electors. The bill also requires a presidential elector representing an Indiana congressional district to vote for President and Vice President of the United States the candidates who receive the greatest number of votes in the congressional district and an at-large presidential elector is required to vote for President and Vice President of the United States the candidates who receive the greatest number of votes in Indiana. The bill provides that an elector who fails to vote for the candidates for President and Vice President of the United States for whom the elector is required to vote commits a Class B misdemeanor.

Effective Date: July 1, 2001.

Explanation of State Expenditures:

Explanation of State Revenues: This bill establishes a Class B misdemeanor for violation of the above provisions. If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class B misdemeanor is \$1,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

Explanation of Local Expenditures: A Class B misdemeanor is punishable by up to 180 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: